

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

GEORGE FOWLER and CRISTINA FOWLER	§ § § § § § §	PLAINTIFFS
V.	§	Civil No.1:06CV489-HSO-RHW
STATE FARM FIRE & CASUALTY COMPANY and STEVE SAUCIER	§ § §	DEFENDANTS

**ORDER AND REASONS GRANTING IN PART
AND DENYING IN PART PLAINTIFFS' MOTION TO AMEND
SCHEDULING ORDER DEADLINES TO RE-DESIGNATE IVAN MANDICH
AS EXPERT WITNESS, OR ALTERNATIVELY, TO STRIKE
DOUGLAS A. SMITH'S JULY 7, 2008, REPORT**

This cause came on for hearing before the Court on the Motion to Amend Scheduling Order Deadlines to Re-designate Ivan Mandich as Expert Witness, or Alternatively, to Strike Douglas A. Smith's July 7, 2008, Report [379-1] filed by Plaintiffs in the above-captioned cause on August 14, 2008. Defendants filed a Response [385-1] on August 17, 2008. After conducting a hearing on August 18, 2008, the Court carefully considered the arguments of counsel, the exhibits and pleadings on file, and the relevant legal authorities. For the reasons more fully stated on the record at the conclusion of the hearing on August 18, 2008, the Court finds that Plaintiffs' Motion must be granted in part and denied in part.

Accordingly,

IT IS, THEREFORE, ORDERED AND ADJUDGED that, for the reasons stated herein and for the reasons more fully stated on the record at the hearing on August 18, 2008, Plaintiffs' Motion to Amend Scheduling Order Deadlines to Re-

designate Ivan Mandich as Expert Witness, or Alternatively, to Strike Douglas A. Smith's July 7, 2008, Report [379-1] , should be and are hereby **DENIED IN PART**, to the extent it seeks to amend the scheduling order deadlines and re-designate Ivan Mandich as an expert witness, and **GRANTED IN PART**, to the extent to that it seeks to strike Douglas A. Smith's July 7, 2008, Report.

SO ORDERED AND ADJUDGED, this the 18th day of August, 2008.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE